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COCOM

OBJECTIVES

- 1) Allied reaffirmation of the existing commitment to improve COCOM controls on the transfer of militarily sensitive technologies.
- 2) Agreement to a second High Level Meeting in 1983.
- 3) Reiteration at a high level of our action program for COCOM, including a successful list review.

ANALYSIS

The existing commitment consists primarily of a thirty-three year history of confidential, informal cooperation in the fifteen-member Coordinating Committee (NATO plus Japan minus Iceland). No treaty or executive agreement binds the members to follow COCOM rules. Members may assert their sovereign rights at any time. They seldom do. But they strongly resist formalization of COCOM commitments or publicity concerning COCOM agreements.

All decisions are taken unanimously. There is no written agreement to this effect. But historically no other member has wanted to give up either its right to veto proposals for a new control or its reliance on the United States to discipline the procedures for removing items from control or for approving exceptions cases.

COCOM agreed at a January 1982 High Level Meeting (HLM) to strengthen controls on "really critical" items (while decontrolling items no longer critical) and to define better means to control technology. Before agreement is reached on a revised list, technical discussions will be necessary at the forthcoming list review scheduled to begin in October.

However, there is one significant improvement concerning restrictions on technology related to listed commodities which could be put into effect immediately. It awaits only confirmation of United Kingdom agreement. The British have linked such confirmation to COCOM adoption of a procedure to reduce delays. Such adoption has been delayed by a Defense condition that others first agree to modernize COCOM communications.

The upbeat atmosphere of the January HLM has not been maintained. Since then manifestations of strains on the effective functioning of COCOM have included:

State Dept. review completed.

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1) Informal statements by European officials speculating that the dispute over pipeline sanctions will adversely affect cooperation in COCOM;

2) British veto of a US proposal to add clad steel technology to the list, without waiting for COCOM to resume its meetings after the summer recess;

3) French August 19 approval of telephone circuit switching equipment for the USSR without COCOM review;

4) British pressure for a new procedure whereby cases would be considered approved if governments have not communicated a position within ninety days;

5) British, French, German, and Dutch protests that the United States is using COCOM for political rather than security purposes by objecting to all cases for the USSR and Poland, no matter how insignificant (other governments have licensed several such cases despite our objections).

Reaffirmation of the commitments made at the HLM meeting in January and agreement to another HLM meeting next year are reasonable and specific objectives to be attained at a meeting designed to resolve the dispute over pipeline-related sanctions. Nevertheless, we should seize the occasion and complement our COCOM diplomatic strategy by:

- stressing support for our minimum list review goals,
- urging dedication of greater resources for COCOM enforcement, and
- arguing the case that COCOM's administrative machinery requires modernization.

We would state our objectives for COCOM, beyond the present exercise, as follows:

List Review

Agreement in the first round of negotiations (October-December) to priority coverage for: (1) gas turbine engines; (2) certain metallurgical processes; (3) large floating dry docks; (4) electronic grade silicon; (5) printed circuit board technology; (6) space launch vehicles and space craft; (7) robotics; (8) ceramic materials for engines (including manufacturing systems); and (9) certain advanced composites. (It is expected that full agreement on communications switching and computer hardware and software proposals will require more time as well as modification of other going-in positions.)

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Agreement as to the upper limits of computer systems approvable for export to Warsaw Pact countries.

(Stressing the above proposals does not mean that other proposals, such as semiconductors and their manufacturing equipment, are of less concern. These technologies are already well covered and generally need only upgrading.)

Enforcement

Agreement for: (1) prelicense and postshipment checks or comparable monitoring of exports; (2) end-user certificates from third countries in the absence of reexport licensing requirements; (3) increased resources for enforcement; (4) better information sharing; (5) harmonization of supporting materials accompanying COCOM applications.

Administration

Agreement to review COCOM funding, facilities, communications, and staff.

In putting forward our case, primary emphasis should be placed on our minimum List Review goals.

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